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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/572,808	03/22/2006	Haruo Yoshida	SON-3119	4877
23353 7590 06/25/2008 RADER FISHMAN & GRAUER PLLC LION BUILDING 1233 20TH STREET N.W., SUITE 501 WASHINGTON, DC 20036				
EXAMINER				
QUADER, FAZLUL				
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2164				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/572,808

Applicant(s)

YOSHIDA ET AL.

Examiner

FAZLUL QUADER

Art Unit

2164

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 March 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 6-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 6-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Response to Amendment

1. Claims 1-3 and 6-9 are pending in this application.
2. Examiner acknowledges applicant's amendment on 03/06/2008.
3. Claims 1-3 have been amended on 03/06/2008.
4. Claims 4-5 have been cancelled by the applicant on 03/06/2008.
5. Claims 6-9 have been newly added on 03/06/2008.
6. Applicant's arguments filed 03/06/2008, with respect to claims 1-3 and 6-9 have been fully considered but they are not persuasive, for examiner's response see discussion below.

35 USC § 101

7. The rejections under 35 U.S.C. 101 are being withdrawn in view of the cancellations of claims 4 and 5.

Claim Rejections - 35 USC § 103

8 The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-5 of the current application (effective filing date: Mar. 22, 2006) are rejected under 35 U.S.C. 103(a) as being unpatentable over Hattori et al. (US 20030088576; pub. date: May 08, 2003), hereinafter "Hattori" in view of Numata et al. (US 20030041304; pub. date: Feb. 27, 2003), hereinafter "Numata".

10. As to claim 1, Hattori discloses, a file management device for managing ([0065]), with an index file recorded in a recording medium, and a file recorded in the recording medium ([0186]),

wherein the index file includes a series of entries comprising, in block, information extracted from a file recorded in the recording medium, information about a file correlated to a folder set in the recording medium ([0004]; fig. 24; [0039]; fig. 29; [0044]), and information about the folder, and indicates layer structures of the file and the folder by layer information pointing to other entries set in the entry ([0004]; [0045],

[0039]; fig. 30A-B);

wherein an entry of the folder indicates the files belonging to the folder by registration information pointing to other entries, and indicates, by identifying information, whether or not the corresponding folder is a virtual folder (fig. 45; [0060]);

wherein the file management device retrieves an entry of the index file according to conditions for retrieval set by a user to select a file registered in the index file ([0007]; [0196]), and registers, as an entry for the virtual folder, a retrieval result as to the selected file in the index file, along with the conditions for retrieval (abstract; [0062]) and

wherein, when the entry for the retrieval result is registered, information indicating that the entry of the retrieval result is for a result of retrieval is set in the index file ([0014]; [0044]-[0046]; [0224]),

Hattori, however, does not explicitly disclose, "wherein the layer information is set so as to indicate that the virtual folder for the retrieval result is under a virtual retrieval result collection folder in which retrieval results are collected, and the registration information is set to point to entries of the selected file.";

Numata, on the other hand, discloses, "wherein the layer information is set so as to indicate that the virtual folder for the retrieval result is under a virtual retrieval result

collection folder in which retrieval results are collected, and the registration information is set to point to entries of the selected file.” (Numata: [0043]).

Both Numata and Hattori are of the same field of endeavor, they specifically teach data storage and retrieval system (Hattori: [0001]; Numata: [0008]).

It would have been obvious to one of the ordinary skill in the art at the time of applicant's invention to incorporate the teachings of Numata into Hattori of object-oriented data storage and retrieval system using index table, that would have allowed users of Hattori to have an useful method, to create a structured document management method for managing structured documents in a manner convenient for for high speed searches by attribute information. (Numata: [0008]).

11. As to claim 2, Hattori discloses, a file managing method of managing a file recorded in a recording medium ([0065]) with an index file recorded in the recording medium ([0186]),

wherein the index file includes a series of entries comprising, in block, information about a file recorded in the recording medium, information about a file correlated to a folder set in the recording medium ([0004]; fig. 24; [0039]; fig. 29; [0044]), and information about the folder, and indicates layer structures of the file and the folder by layer information pointing to other entries set in the entry ([0004]; [0045],

[0039]; fig. 30A-B); and

wherein an entry of the folder indicates the files belonging to the folder by registration information pointing to other entries, and indicates, by the identifying information, whether or not the corresponding folder is a virtual folder (fig. 24; [0039]);

said method comprising:

a step of retrieving entries of the index file according to retrieval conditions set by a user to select a file registered in the index file ([0007]; [0196]); and

a step of registering as an entry for the virtual folder, a retrieval result about the selected file in the index file, along with the conditions for retrieval ([0014]; [0044]-[0046]; [0224]);

a step of setting information indicating that the entry of the retrieval result is for a result of retrieval in the index file ([0014]; [0044]-[0046]; [0224]), and

a step of setting the registration information to point to entries of the selected file. (abstract; [0062]).

Hattori, however, does not explicitly disclose, "a step of setting the layer information so as to indicate that the virtual folder for the retrieval result is under a virtual retrieval result collection folder in which retrieval results are collected";

Numata, on the other hand, discloses, "a step of setting the layer information so as to indicate that the virtual folder for the retrieval result is under a virtual retrieval result collection folder in which retrieval results are collected" (Numata: [0043]).

Both Numata and Hattori are of the same field of endeavor, they specifically teach data storage and retrieval system (Hattori: [0001]; Numata: [0008]).

It would have been obvious to one of the ordinary skill in the art at the time of applicant's invention to incorporate the teachings of Numata into Hattori of object-oriented data storage and retrieval system using index table, that would have allowed users of Hattori to have an useful method, to create a structured document management method for managing structured documents in a manner convenient for high speed searches by attribute information. (Numata: [0008]).

12. As to claim 3, the claim is rejected for the same reason as claim 2. In addition, Hattori discloses, the file managing method according to claim 2, wherein retrieval of an entry of the index file in the retrieving step is performed by the conditions for retrieval registered in the entry for the retrieval result (abstract; [0062]).

13. As to claim 4, the claim has been cancelled by the applicant.
14. As to claim 5, the claim has been cancelled by the applicant.
15. As to claim 6. (New) The file management device according to claim 1, wherein retrieval of an entry of the index file in the retrieving step is performed by refining the conditions for retrieval registered in the entry for the result of retrieval ([0004]).
16. As to claim 7. (New) The file management device according to claim 1, wherein in a retrieval processing, when the file management device determines that the conditions for retrieval are identical to any of those already registered in the virtual folder, the file management device displays the retrieval result performed in past under the identical conditions for retrieval ([0008]).
17. As to claim 8. (New) The file management device according to claim 1, wherein updating date is registered in the entry for the virtual folder ([0074]).
18. As to claim 9. (New) The file management device according to claim 8, wherein the file management device determines that the number of entries for retrieval results is larger than a predetermined number, the file management device deletes an entry with the oldest update date (abstract; [0007]).

Prior art made of record

19. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wenocur et al. (US 20020194483) teach system and method for authorization of access to a resource.

Marejka et al. (US 20030135735) teaches self-monitoring and trending service system with a cascaded pipeline with enhanced authentication and registration.

Response to Arguments

20. Applicant's arguments filed 03/06/2008, with respect to claims 1-3 and 6-9 have been fully considered but they are not persuasive, for examiner's response see discussion below.

Applicant's arguments: Claims 4 and 5 are rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. Claims 4 and 5 have

been canceled by the foregoing amendment. Therefore, the rejection is now moot. Accordingly, withdrawal of the rejection is respectfully requested.

Examiner's response: Claim rejections under 35 U.S.C. § 101 are being withdrawn.

Applicant's arguments: Claim 1 is directed to file management device for managing, with an index file recorded in a recording medium, and a file recorded in the recording medium, wherein the index file includes a series of entries comprising, in block, information about a file recorded in the recording medium, information about a file correlated to a folder set in the recording medium, and information about the folder, and indicates layer structures of the file and the folder by layer information pointing to other entries set in the entry; wherein an entry of the folder indicates the files belonging to the folder by registration information pointing to other entries, and indicates, by identifying information, whether or not the corresponding folder is a virtual folder; wherein the file management device retrieves an entry of the index file according to conditions for retrieval set by a user to select a file registered in the index file, and registers, as an entry for the virtual folder, a retrieval result as to the selected file in the index file, along with the conditions for retrieval; and wherein, when the entry for the retrieval result is registered, information indicating that the entry of the retrieval result is for a result of retrieval is set in the index file, wherein the layer information is set so as to indicate that the virtual folder for the retrieval result is under a virtual retrieval result collection folder in which retrieval results are collected, and the registration information is set to point to

entries of the selected file. Hattori et al. arguably discloses an object-oriented data storage and retrieval system using index table. Numata et al. arguably discloses a structured document management system and structured document management method. However, none of the applied art discloses, teaches or suggests that "the file management device retrieves an entry of the index file according to conditions for retrieval set by a user to select a file registered in the index file, and registers, as an entry for the virtual folder, a retrieval result as to the selected file in the index file, along with the conditions for retrieval; and wherein, when the entry for the retrieval result is registered, information indicating that the entry Of the retrieval result is for a result of retrieval is set in the index file, wherein the layer information is set so as to indicate that the virtual folder for the retrieval result is under a virtual retrieval result Collection folder in which retrieval results are collected, and the registration information is set to point to entries of the selected file."

Examiner's answer: As explained above, Hattori discloses, a file management device for managing ([0065]), with an index file recorded in a recording medium, and a file recorded in the recording medium ([0186]), wherein the index file includes a series of entries comprising, in block, information extracted from a file recorded in the recording medium, information about a file correlated to a folder set in the recording medium ([0004]; fig. 24; [0039]; fig. 29; [0044]), and information about the folder, and indicates layer structures of the file and the folder by layer information pointing to other entries set in the entry ([0004]; [0045], [0039]; fig. 30A-B); wherein an entry of the folder indicates

the files belonging to the folder by registration information pointing to other entries, and indicates, by identifying information, whether or not the corresponding folder is a virtual folder (fig. 45; [0060]); wherein the file management device retrieves an entry of the index file according to conditions for retrieval set by a user to select a file registered in the index file ([0007]; [0196]), and registers, as an entry for the virtual folder, a retrieval result as to the selected file in the index file, along with the conditions for retrieval (abstract; [0062]) and wherein, when the entry for the retrieval result is registered, information indicating that the entry of the retrieval result is for a result of retrieval is set in the index file. ([0014]; [0044]-[0046]; [0224]), Numata, on the other hand, discloses, "wherein the layer information is set so as to indicate that the virtual folder for the retrieval result is under a virtual retrieval result collection folder in which retrieval results are collected, and the registration information is set to point to entries of the selected file." (Numata: [0043]).

Applicant's arguments: Claim 2 is directed to file managing method of managing a file recorded in a recording medium with an index file recorded in the recording medium, wherein the index file includes a series of entries comprising, in block, information about a file recorded in the recording medium, information about a file correlated to a folder set in the recording medium, and information about the folder, and indicates layer structures of the file and the folder by layer information pointing to other entries set in the entry; and wherein an entry of the folder indicates the files belonging to the folder by registration information pointing to other

entries, and indicates, by identifying information, whether or not the corresponding folder is a virtual folder; said method comprising: a step of retrieving entries of the index file according to retrieval conditions set by a user to select a file registered in the index file; a step of registering, as an entry for the virtual folder, a retrieval result about the selected file in the index file, along with the conditions for retrieval; a step of setting information indicating that the entry of the retrieval result is for a result of retrieval in the index file, and a step of setting the layer information so as to indicate that the virtual folder for the retrieval result is under a virtual retrieval result collection folder in which retrieval results are collected; and a step of setting the registration information to point to entries of the selected file. Similarly to claim 1, the applied art fails to disclose, teach or suggest that "a step of retrieving entries of the index file according to retrieval conditions set by a user to select a file registered in the index file; a step of registering, as an entry for the virtual folder, a retrieval result about the selected file in the index file, along with the conditions for retrieval; a step of setting information indicating that the entry of the retrieval result is for a result of retrieval in the index file, and a step of setting the layer information so as to indicate that the virtual folder for the retrieval result is under a virtual retrieval result collection folder in which retrieval results are collected; and a step of setting the registration information to point to entries of the selected file."

Examiner's response: As explained above in this office action, Hattori discloses, a file managing method of managing a file recorded in a recording medium ([0065]) with an index file recorded in the recording medium ([0186]), wherein the index file includes a

series of entries comprising, in block, information about a file recorded in the recording medium, information about a file correlated to a folder set in the recording medium ([0004]; fig. 24; [0039]; fig. 29; [0044]), and information about the folder, and indicates layer structures of the file and the folder by layer information pointing to other entries set in the entry ([0004]; [0045], [0039]; fig. 30A-B); and wherein an entry of the folder indicates the files belonging to the folder by registration information pointing to other entries, and indicates, by the identifying information, whether or not the corresponding folder is a virtual folder (fig. 24; [0039]); said method comprising: a step of retrieving entries of the index file according to retrieval conditions set by a user to select a file registered in the index file ([0007]; [0196]); and a step of registering as an entry for the virtual folder, a retrieval result about the selected file in the index file, along with the conditions for retrieval ([0014]; [0044]-[0046]; [0224]); a step of setting information indicating that the entry of the retrieval result is for a result of retrieval in the index file ([0014]; [0044]-[0046]; [0224]), and a step of setting the registration information to point to entries of the selected file. (abstract; [0062]). Hattori, however, does not explicitly disclose, "a step of setting the layer information so as to indicate that the virtual folder for the retrieval result is under a virtual retrieval result collection folder in which retrieval results are collected"; Numata, on the other hand, discloses, "a step of setting the layer information so as to indicate that the virtual folder for the retrieval result is under a virtual retrieval result collection folder in which retrieval results are collected" (Numata: [0043]).

The dependent claims are being rejected for the same reasons as claims 1 and 2.

Conclusion

21. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FAZLUL QUADER whose telephone number is (571)270-1905. The examiner can normally be reached on M-F 8-5 Alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on 571-272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/FAZLUL QUADER/
Examiner
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FQ
06/20/2008

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